

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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COMMODITY FUTURES TRADING)
COMMISSION,)

Plaintiff,)

v.)

FXTRADE FINANCIAL, LLC, et al.,)

Defendants.)

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

NO. 04-2181 D/An

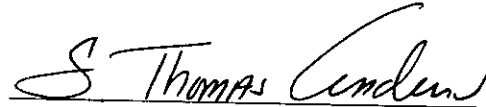
ORDER GRANTING MOTION TO COMPEL DISCOVERY
AGAINST DEFENDANT LEE N. ROMANO II

Before the Court is Plaintiff's Second Motion to Compel Discovery Against Defendant Lee N. Romano II filed on February 22, 2005. On October 7, 2004 Plaintiff served Defendant Lee N. Romano II ("Romano") with Plaintiff's First Set of Interrogatories and First Set of Requests for Production of Documents. Mr. Romano did not respond to these discovery requests, so Plaintiff filed a Motion to Compel against Mr. Romano on December 7, 2004. On January 5, 2005 the Court entered an Order compelling Mr. Romano to respond to the discovery requests, and Mr. Romano served Plaintiff with discovery responses. Plaintiff argues Mr. Romano's discovery responses are deficient; therefore, Plaintiff filed the instant Motion.

Defendant Romano failed to file a response to this Motion as required by Local Rule 7.2(a)(2). "Failure to timely respond to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion." Local Rule 7.2(a)(2). As such, the Motion is **GRANTED**. Defendant Romano is ordered to provide complete

responses to Plaintiff's First Set of Interrogatories and First Set of Requests for Production of Documents within 15 days of entry of this Order. Mr. Romano is reminded that the failure to comply with the Order of the Court can be grounds for the imposition of sanctions.

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read "S. Thomas Anderson", written over a horizontal line.

S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: April 1, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 96 in case 2:04-CV-02181 was distributed by fax, mail, or direct printing on April 4, 2005 to the parties listed.

Scott J. Crosby
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103

Nathan A. Bicks
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103

Richard Glaser
1155 21st Streetm N.W.
Division of Enforcement
Washington, DC 20581

Joseph J. Cecala
222 Albion
Park Ridge, IL 60068

Mary Jo Sibbitt
21 W. 611 Glen Park Rd
Glen Ellyn, IL 60137

Jeffrey A. Mischler
8653 Heatherly Cove
Germantown, TN 38138

Gary A. Vanasek
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Thomas J. Sjoblom
CHADBOURNE & PARKE LLP
1200 New Hampshire Ave.
Ste. 300
Washington, DC 20036

W. Michael Richards
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

Benjamin R. Ogletree
CHADBOURNE & PARKE LLP
1200 New Hampshire Ave.
Ste. 300
Washington, DC 20036

Charles D. Marvine
COMMODITY FUTURES TRADING COMMISSION
Two Emanuel Cleaver II Blvd.
Ste. 300
Kansas City, MO 64112

Rachel A. Hayes
COMMODITY FUTURES TRADING COMMISSION
Two Emanuel Cleaver II Blvd.
Ste. 300
Kansas City, MO 64112

Mary Alison Hale
U.S. DISTRICT COURT
167 N. Main St.
Ste. 1111
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT